

EXHIBIT A

EXHIBIT A

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CLERK OF THE COURT

SUMM

Anthony Paglia Esq.
Nevada Bar No. 11234
ANTHONY PAGLIA INJURY LAWYER LTD
255 E. Warm Springs Suite 100
Las Vegas, Nevada 89119
Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

YELE GLASTER, individually,

Plaintiff,

v.

DOLLAR TREE STORES, INC., a foreign
corporation; DOES I through X, inclusive and
ROE CORPORATIONS XI through XX,
inclusive,

Defendants.

Case No.: A-14-711532-C
Dept. No.: XVII

SUMMONS

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ
THE INFORMATION BELOW.**

TO THE DEFENDANT: Dollar Tree Stores, Inc.

A civil Complaint has been filed by the plaintiff against you for relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you exclusive of the day of service, you must do the following:

- a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court.
- b. Serve a copy of your response upon the attorney whose name and address is shown below.

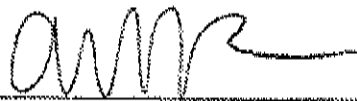
2. Unless you respond, your default will be entered upon application of the plaintiff and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.

Issued at direction of:

ANTHONY PAGLIA INJURY LAWYER LTD

Steven D. Grierson, CLERK OF COURT



By:

 JAN 08 2015

Anthony M. Paglia, Esq.
Nevada Bar No. 11234
255 E. Warm Springs Suite 100
Las Vegas, Nevada 89119
Attorney for Plaintiff

DEPUTY CLERK DATE
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155
VIVIAN A. CANELA

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA)

CASE NO.: A-14-711532-G

ss:)

DEPT NO.: XVII

COUNTY OF CLARK)

AFFIDAVIT OF SERVICE

(Name of person who served the documents, the "Affiant")

Carl Theodore Aceto #R-060618, being duly sworn, states that at all times herein Affiant was and is over 18 years of age, not a party to nor interested in the proceeding in which this affidavit is made. Affiant is a licensed process server whose license number is stated below. That Affiant received a copy of the (list the documents) Summons & Complaint, Demand For Jury Trial

on the 12th day of January, 2015 That Affiant personally served Dollar Tree Stores with a copy of the above stated documents on the 15th day of January, 2015 at (time) 08:15 a.m.

(Check and complete option A, B or C)

☐ A. Delivering and leaving the documents with said party at (street address)

(city) (state) (zip)

☐ B. Delivering and leaving a copy with (first and last name of person that the documents were given to) who is a person of suitable age and discretion that lives with the above stated party at (street address)

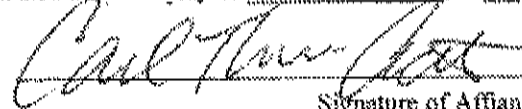
(city) (state) (zip)

☒ C. Delivering and leaving a copy with Marcia Wyatt who is ☐ registered agent, ☐ officer, ☐ general partner, ☐ member, ☐ manager, ☐ trustee, ☐ director. Or ☒ other (specify) Admin. Assist. at (street address) 8275 S. Eastern Avenue #200

(city) Las Vegas (state) Nevada (zip) 89123

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this 16th day of January, 2015



Signature of Affiant

Corporate Intelligence International
720 E. Charleston Blvd. Suite 135
Las Vegas, Nevada 89104
State License #595/595-A

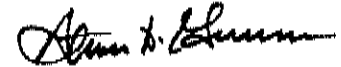
EXHIBIT B

EXHIBIT B

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COMP

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255 E. Warm Springs Road Suite 100A
Las Vegas, Nevada 89119
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Facsimile: (702) 522-0504
E-mail: apaglia@anthonypaglia.com
Attorney for Plaintiff



CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

YELE GLASTER, individually,

Plaintiff,

vs.

DOLLAR TREE STORES, INC., a foreign
corporation; DOES I - X, and ROE
CORPORATIONS XI - XX, inclusive,

Defendants.

)
) CASE NO. A- 14 - 711532 - C
) DEPT. NO. XVI I
)
)

COMPLAINT

Plaintiff Yele Glaster ("Glaster") an individual, by and through her attorney of record herein
Anthony Paglia Esquire of the law firm of Anthony Paglia Injury Lawyer LTD complains against the
Defendants Dollar Tree Stores, Inc. ("Defendants") as follows:

JURISDICTION

1. At all relevant times herein Defendants were and are doing business in Clark County, Nevada.
2. The actions complained of herein took place in Clark County, Nevada.
3. The true names and capacities of the Defendants designated herein as Doe or Roe Corporations are presently unknown to Plaintiff at this time, who therefore sues said Defendants

1 by such fictitious names. When the true names and capacities of these Defendants are ascertained,
2 Plaintiff will amend this Complaint accordingly.

3
4 4. At all times pertinent herein, Defendants were agents, servants, employees or joint
5 venturers of every other Defendant, and at all times mentioned herein were acting within the scope
6 and course of said agency, employment, or joint venture, with knowledge and permission and
7 consent of all other named Defendants.
8

9 5. All Defendants are jointly and severally liable.

10 **BACKGROUND INFORMATION**

11
12 6. Plaintiff incorporates the preceding paragraphs of the Complaint as though said paragraphs
13 were fully set forth herein.

14 7. On or about March 14, 2014, Glaster was at the Dollar Tree store, located at 9890 S.
15 Maryland Parkway, Las Vegas NV 89183.

16 8. A cart was left unattended.

17 9. Glaster tripped on the cart and fell inside the Dollar Tree Store.

18 **FIRST CAUSE OF ACTION**
19 **(Negligence)**

20 10. Plaintiff incorporates the preceding paragraphs of the Complaint as though said paragraphs
21 were fully set forth herein.

22 11. Defendants owed Plaintiff a duty of care.

23 12. Defendants breached that duty of care.

24 13. As a direct and proximate result of the negligence of Defendants, Plaintiff has been
25 damaged in an amount in excess of \$10,000.00.

26 **SECOND CAUSE OF ACTION**
27 **(Negligent Hiring, Training, Retention, and Supervision)**

28 14. Plaintiff incorporates the preceding paragraphs as though fully set forth herein.

1 15. Defendants had a duty of reasonable care to protect Glaster from negligent and/or careless
2 actions of its own agents, officers, employees, and others.

3
4 16. Defendants had a duty not to franchise to or hire individuals with the propensity toward
5 committing unlawful and/or harmful acts against Glaster.

6
7 17. Defendants had a duty to adequately train and supervise its employees in regard to all
8 correct policies, procedures, and lawful activities within the workplace.

9 18. Defendants breached these duties and damaged Glaster by failing to supervise, train, hire,
10 and appoint appropriate personnel, which resulted in emotional distress and bodily injury to
11 Glaster.

12
13 19. As a direct and proximate cause of Defendants' conduct described herein above Glaster
14 was damaged in an amount in excess of \$10,000.00.

15
16 20. Glaster, as a result of Defendants' negligent hiring, training, retention, and supervision,
17 retained an attorney in the State of Nevada to prosecute its claims for relief herein and, as such, is
18 entitled to its reasonable attorney's fees and costs associated with prosecution of the same.

19
20 **THIRD CAUSE OF ACTION**
21 **(Respondeat Superior)**

22 21. Plaintiff incorporates the preceding paragraphs of the Complaint as if those paragraphs
23 were fully incorporated herein.

24 22. Defendant Doe I-X was acting within the course and scope of employment while working
25 at the business.

26 23. Defendants are therefore liable for the negligent actions of Doe I-X.

27 24. Plaintiff Glaster was injured as a proximate consequence of Doe I-X's actions.
28

1 25. As a direct and proximate cause of Doe I-X's negligence, Plaintiff has been damaged in
2 an amount in excess of \$10,000.00.

3
4 26. Glaster, as a result of Doe I-X's actions as set forth herein, retained an attorney in the
5 State of Nevada to prosecute its claims for relief herein and, as such, is entitled to its reasonable
6 attorney's fees and costs associated with prosecution of the same.
7

8
9 WHEREFORE, Plaintiff prays judgment against all Defendants, and each of them, as follows:

- 10 1. For general and compensatory damages against Defendants individually, jointly and
11 severally in an amount in excess of \$10,000.00;
12
13 2. For general damages in an amount in excess of \$10,000.00;
14
15 3. For special damages in an amount in excess of \$10,000.00;
16
17 4. For attorney's fees and costs;
18
19 5. For interest at the statutory rate; and
20
21 6. For such other relief as the Court deems just and proper.

22 ANTHONY PAGLIA INJURY LAWYER

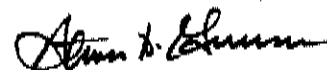
23 By: 

24 Anthony M. Paglia, Esq.
25 Nevada Bar No. 11234
26 ANTHONY PAGLIA INJURY LAWYER LTD
27 255 E. Warm Springs Road Suite 100A
28 Las Vegas, NV 89119
 Attorneys for Plaintiff

EXHIBIT C

EXHIBIT C

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CLERK OF THE COURT

ANSR
JAMES R. OLSON, ESQ.
Nevada Bar No. 00116
STEPHANIE M. ZINNA, ESQ.
Nevada Bar No. 011488
OLSON, CANNON, GORMLEY,
ANGULO & STOBERSKI
9950 West Cheyenne Avenue
Las Vegas, NV 89129
Phone: 702-384-4012
Fax: 702-383-0701
jolson@ocgas.com
szinna@ocgas.com

Attorneys for Defendant
DOLLAR TREE STORES, INC.

DISTRICT COURT
CLARK COUNTY, NEVADA

* * * *

YELE GLASTER, individually,

Plaintiff,

vs.

CASE NO. A-14-711532-C
DEPT. NO. XVII

DOLLAR TREE STORES, INC., a
foreign corporation; DOES I - X, and
ROE CORPORATIONS XI - XX,
inclusive,

Defendant.

**DEFENDANT DOLLAR TREE STORES, INC.'S ANSWER TO PLAINTIFF'S
COMPLAINT**

COMES NOW, Defendant DOLLAR TREE STORES, INC. (hereinafter "Defendant") by and through its attorneys, JAMES R. OLSON, ESQ. and STEPHANIE ZINNA, ESQ. of the law firm Olson, Cannon, Gormley, Angulo & Stoberski, and hereby files its Answer to Plaintiff's Complaint as follows:

JURISDICTION

1. Answering Paragraph 1 of Plaintiffs' Complaint, this answering Defendant admits each and every allegation contained therein.

Law Office of
OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
a Nevada Limited Liability Partnership
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 384-4012 Telecopier (702) 383-0701

2. Answering Paragraphs 2, 3, and 4 of Plaintiffs' Complaint, this answering is without sufficient information to form a belief as to the truth or falsity of the allegations contained therein, and upon said grounds denies same.

4. Answering Paragraph 5 of Plaintiff's Complaint, these contain conclusions of law and this answering Defendant is without sufficient information to form a belief as to the truth or falsity of the allegations contained therein and is unable to admit or deny those allegations, and upon said grounds denies same.

BACKGROUND INFORMATION

5. Answering Paragraph 6 of Plaintiff's Complaint, this answering Defendant repeats and realleges their responses to Paragraphs 1 through 5 of the Complaint as though set forth in detail.

6. Answering Paragraphs 7, 8, and 9 of Plaintiffs' Complaint, this answering is without sufficient information to form a belief as to the truth or falsity of the allegations contained therein, and upon said grounds denies same.

FIRST CAUSE OF ACTION

(Negligence)

5. Answering Paragraph 10 of Plaintiff's Complaint, this answering Defendant repeats and realleges their responses to Paragraphs 1 through 9 of the Complaint as though set forth in detail.

6. Answering Paragraphs 11, 12, and 13 of Plaintiff's Complaint, these contain conclusions of law and this answering Defendant is without sufficient information to form a belief as to the truth or falsity of the allegations contained therein and is unable to admit or deny those allegations, and upon said grounds denies same.

SECOND CAUSE OF ACTION

(Negligent Hiring, Training, Retention and Supervision)

7. Answering Paragraph 14 of Plaintiff's Complaint, this answering Defendant repeats and realleges their responses to Paragraphs 1 through 13 of the Complaint as though set forth in detail.

8. Answering Paragraphs 15, 16, 17, 18, 19, and 20 of Plaintiff's Complaint, these contain conclusions of law and this answering Defendant is without sufficient information to form a belief as to the truth or falsity of the allegations contained therein and is unable to admit or deny those allegations, and upon said grounds denies same.

THIRD CAUSE OF ACTION

(Respondent Superior)

7. Answering Paragraph 21 of Plaintiff's Complaint, this answering Defendant repeats and realleges their responses to Paragraphs 1 through 20 of the Complaint as though set forth in detail.

8. Answering Paragraphs 22, 23, 24, 25, and 26 of Plaintiff's Complaint, these contain conclusions of law and this answering Defendant is without sufficient information to form a belief as to the truth or falsity of the allegations contained therein and is unable to admit or deny those allegations, and upon said grounds denies same.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

All of the risks and dangers, if any, involved in the factual situation described in the Complaint were open, obvious and known to the Plaintiff, and by reason thereof, Plaintiff assumed such risks and dangers incident thereto.

SECOND AFFIRMATIVE DEFENSE

That at the time and place alleged in Plaintiffs' Complaint, and for a period of time prior thereto, the Plaintiff did not exercise ordinary care, caution or prudence for the protection of her own safety and the injuries and damages complained of by the Plaintiff in her Complaint, if any, were directly and proximately caused or contributed to by the fault, failure to act, carelessness and negligence of the Plaintiff.

THIRD AFFIRMATIVE DEFENSE

Defendant DOLLAR TREE STORES, INC. at all times relevant to the allegations in Plaintiff's Complaint on file herein, acted with due care and circumspection in the performance of any duties imposed on them, if any.

FOURTH AFFIRMATIVE DEFENSE

At all times and places alleged in Plaintiff's Complaint on file herein, the negligence, misconduct and fault of the Plaintiff exceeds that of the Defendant, if any, and Plaintiff is thereby barred from any recovery against this Defendant.

FIFTH AFFIRMATIVE DEFENSE

At the time of the acts as alleged in Plaintiff's Complaint, Defendant DOLLAR TREE STORES, INC. did not create any alleged dangerous condition, and therefore, Plaintiff's claims are barred as a matter of law.

SIXTH AFFIRMATIVE DEFENSE

Neither Defendant DOLLAR TREE STORES, INC., their agents or employees, had knowledge of the presence of any alleged hazardous condition prior to the accident, if in fact there were hazardous conditions, which are denied.

SEVENTH AFFIRMATIVE DEFENSE

The loss, injuries and damages, if any, which the Plaintiff alleges, were directly and proximately caused and/or contributed to by the negligence, carelessness or fault of the Plaintiff and therefore, Defendant DOLLAR TREE STORES, INC. is entitled to contribution in proportion to the percentage of negligence attributed to the Plaintiff.

EIGHTH AFFIRMATIVE DEFENSE

At the time and place and under the circumstances alleged, the injuries or damages of the Plaintiff, if any, were caused by the acts or omissions of some parties over whom Defendant DOLLAR TREE STORES, INC. had no control and for whose acts Defendant DOLLAR TREE STORES, INC. was not responsible.

NINTH AFFIRMATIVE DEFENSE

Defendant DOLLAR TREE STORES, INC. contends that the Plaintiff has failed to mitigate her damages as required by law.

TENTH AFFIRMATIVE DEFENSE

The Plaintiff had knowledge of and was fully aware of the condition of the premises and expressly and impliedly assumed any risks incident thereto by voluntarily coming upon said

premises. The injuries alleged by the Plaintiff were caused by and arose out of such risks.

ELEVENTH AFFIRMATIVE DEFENSE

Pursuant to NRCP 11, all possible affirmative defenses may not have been alleged herein insofar as sufficient facts were not available after reasonable inquiry upon the filing of this Answer, and therefore, Defendant DOLLAR TREE STORES, INC. reserves the right to amend this Answer to allege additional affirmative defenses if subsequent investigation warrants.

WHEREFORE, Defendant DOLLAR TREE STORES, INC. prays for relief as follows:

1. That Plaintiff take nothing by way of her Complaint on file herein;
2. For reasonable attorney's fees;
3. For costs of suit incurred and to be incurred herein; and
4. For such other and further relief as the Court may deem just and proper in the premises.

DATED this 3 day of February, 2015.

OLSON, CANNON, GORMLEY,
ANGULO & STOBERSKI

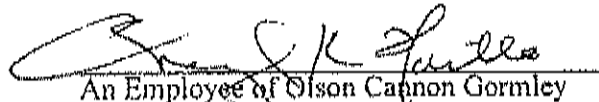
By

JAMES R. OLSON, ESQ.
Nevada Bar No. 000116
STEPHANIE M. ZINNA, ESQ.
Nevada Bar No. 011488
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
Attorneys for Defendant
Dollar Tree Stores, Inc.

CERTIFICATE OF SERVICE

On the 3rd day of February, 2015, the undersigned, an employee of Olson, Cannon, Gormley, Angulo & Stoberski, hereby served a true copy of Defendant's Answer to Plaintiff's Complaint, to the parties listed below via the EFP Program, pursuant to the Court's Electronic Filing Service Order effective June 1, 2014, and/or mailed:

Anthony M. Paglia, Esq.
Antony Paglia Injury Lawyer, Ltd.
255 East Warm Springs Road, #100A
Las Vegas, NV 89129
P: 702-830-7070
F: 702-522-054
apaglia@anthonypaglia.com
Attorneys for Plaintiff


An Employee of Olson Cannon Gormley
Angulo & Stoberski

Law Office of
OLSON, CANNON, GORMLEY, ANGULO & STOBERSKI
A Professional Corporation
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 384-4012 Telecopier (702) 383-0701

EXHIBIT D

EXHIBIT D

ELECTRONICALLY SERVED
02/10/2015 10:59:44 AM**REQT**

Anthony Paglia Esq.
Nevada Bar No. 11234
ANTHONY PAGLIA INJURY LAWYER
255 E. Warm Springs Road Suite 100A
Las Vegas, Nevada 89119
Telephone: (702) 830-7070
Facsimile: (702) 522-0504
E-mail: apaglia@anthonypaglia.com
Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

YELE GLASTER, individually,

Plaintiff,

v.

DOLLAR TREE STORES, INC., a foreign
corporation; DOES I-X, and ROE
CORPORATIONS I-X inclusive,

Defendants.

Case No.: A-14-711532-C
Dept. No.: XVII

**REQUEST FOR EXEMPTION
FROM ARBITRATION****REQUEST FOR EXEMPTION FROM ARBITRATION**

Plaintiff, YELE GLASTER by and through his attorney of record, Anthony M. Paglia, Esq., of Anthony Paglia Injury Lawyer LTD, hereby requests that the above entitled matter be exempted from arbitration pursuant to Nevada Arbitration Rules 3 and 5, as this case:

1. presents a significant issue of public policy;
2. XXX involves an amount in issue in excess of \$50,000, exclusive of interest and costs;
3. presents unusual circumstances which constitute good cause for removal from the program.

This is an action for personal injuries resulting from an incident which occurred on March 14, 2014, at a Dollar Tree store. On that date, Plaintiff was walking down a store aisle. Defendant failed to keep store aisles safe and clear of hazards, because management left a cart unattended. It was impeding foot traffic, causing the Plaintiff to trip over the cart and fall. As a result of said incident, the Plaintiff suffered from right upper extremity numbness, and has been recommended for a Right Cervical Selective Nerve Root Block at C5 & C6, costing \$4,950.00. To date, Yele Glaster has incurred the following medical expenses as a result of the subject incident caused by Defendant:

Medical Providers	Final Bill Amount
Urgent Care Extra	\$420.00
Advanced Orthopedics & Sports Medicine	\$1,222.00
Cameron Medical Center	\$2,369.00
Sunrise Hospital	\$6,722.00
CVS pharmacy	\$14.00
Sean Early Physical Therapy	\$190.00
Centennial Surgery Center	\$2,400.00
Centennial Medical Group	\$3,090.00
Sunset Neck and Back (Fine Chiropractic Center)	\$3,200.00
Unique Care Pharmacy	\$499.77
Las Vegas Radiology	\$2,750.00
Total Medical Providers:	\$22,876.77

Evidenced by the serious injuries diagnosed by Plaintiff's healthcare providers, together with the significant medical expenses incurred by Plaintiff and the future cost of treatment, Plaintiff's case has probable jury award value in excess of \$50,000. Accordingly, and pursuant to NAR 5, an exemption is requested.

...

1 Based upon the foregoing, I hereby certify pursuant to N. R. C. P. 11 this case to be
2 within the exemption marked above, and I am aware of the sanctions which may be imposed
3 against any attorney or party who without good cause or justification attempts to remove a case
4 from the arbitration program.
5

6 ANTHONY PAGLIA INJURY LAWYER LTD

7
8 By: 

9 Anthony M. Paglia, Esq.
Nevada Bar No. 11234

10 ANTHONY PAGLIA INJURY LAWYER LTD
11 255 E. Warm Springs Road Suite 100A
Las Vegas, Nevada 89119
12 Attorney for Plaintiff
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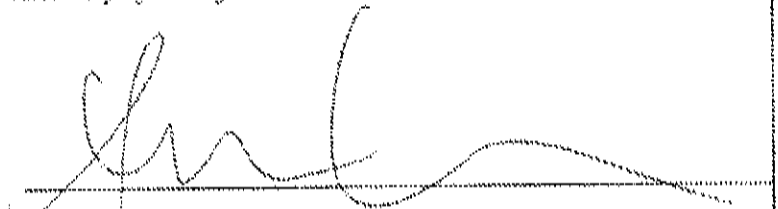
CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10 day of February 2015, a true and correct copy of the foregoing **REQUEST FOR EXEMPTION FROM ARBITRATION** was served upon each of the parties via Odyssey E-filing System pursuant to NRCP 5(b)(2)(D) and EDCR 8.05 to:

James R. Olson Esq.
Email: jolson@ocgas.com

Stephanie M. Zinna Esq.
szinna@ocgas.com

Attorneys for Defendant



An Employee of Anthony Paglia Injury Lawyer, LTD.